

A.No.3133 of 2019**PUSHPA SATHYANARAYANA.J,**

This application is filed seeking an order prohibiting the garnishee, from making payment upto a limit of Rs.19,90,885/-, to the respondent by withholding the salary of the second respondent every month to the extent as contemplated in Section 60 of C.P.C. Viz., after deducting the first Rs.1000/- of the salary of the second respondent and withholding 1/3rd of the remainder salary and restrain the second respondent from receiving the salary amount so withheld from the Garnishee and further direct the Garnishee to deposit the amount of salary so withheld every month to the credit of the above application pending disposal of the arbitration proceedings between the applicant and the respondent and till enforcement of the award.

2. By order dated 22.04.2019, this Court had granted an order of interim injunction restraining the fourth respondent from paying the salary to the second respondent until 03.06.2019. Subsequently, the said order was extended from time to time till today.

3. Though the respondents 1 to 3 were represented through a counsel and had taken time for filing counter, till now, no counter has been filed. Even today, there is no representation for them either in

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person or through counsel. There is also no representation for the fourth respondent/Garnishee.

4. The learned counsel for the applicant states that the fourth respondent/Garnishee has not deposited the amount till now. It is also stated that proceedings for arbitration have been initiated and an award was passed on 12.07.2019 in Arbitration case.

5. In view of the above, the Garnishee is directed to deposit the amount of salary so withheld every month to the credit of the above application. The parties are free to take such action, as they may desire hereafter, in accordance with law.

6. Accordingly, the application is closed.

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